

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

(1) ROBERT G. JOY, a/k/a “Bear,”

[DOB: 08/20/1982]

(2) GARY D. DICKINSON, a/k/a

“James DeJong,”

[DOB: 11/09/1966]

(03) NICHOLAS DESTEFANO,

[DOB: 12/20/1978]

(04) KATHERINE E. BEAVEN,

[DOB: 09/17/1983]

(05) DOUGLAS R. PARKER,

[DOB: 04/03/1966]

(06) CHRISTOPHER J. NEALE,

[DOB: 03/13/1989]

(07) MICHELLE C. NEWTON,

[DOB: 06/14/1970]

(08) FELICITA A. SAN MIGUEL, a/k/a

“Cassandra Jasso”, a/k/a “Susan

Hernandez”, a/k/a “Sarah Buckner,”

[DOB: 06/01/1978]

(09)JERMAINE C. BROOKS,

[DOB: 03/23/1987]

Case No. _____

COUNT 1:

Conspiracy to distribute Oxycodone

21 U.S.C. §§ 841(a)(1), (b)(1)(C) & 846

NMT: 20 Years Imprisonment,

NMT: \$1,000,000 Fine,

NLT: 3 Years Supervised Release

Class C Felony

COUNT 2:

***Conspiracy to unlawfully use the means of
identification of another to facilitate a drug
trafficking crime***

18 U.S.C. §§ 1028(a)(7), 1028(b)(3), &
1028(f)

NMT: 20 Years Imprisonment,

NMT: \$250,000 Fine,

NMT: 3 Years Supervised Release

Class C Felony

COUNT 3:

Drug User in Possession of a firearm

18 U.S.C. §§ 922(g)(3) and 924(a)(2)

NMT: Ten Years Imprisonment,

NMT: \$250,000 Fine,

NMT: 3 Years Supervised Release

Class C Felony

COUNTS 5-6, 8-16, 18-21, 23-27:

Obtaining a controlled substance by fraud

21 U.S.C. §§ 843(a)(3), (d)(1), 846

NMT: 4 Years Imprisonment,

NMT: \$250,000 Fine,

NMT: 1 Year Supervised Release

Class E Felony

(10) TIMOTHY D. KROENKE,
[DOB: 05/21/1989]
and

(11) THOMAS POINDEXTER,
[DOB: 09/28/1974]

Defendants.

COUNTS 4, 7, 17 & 22:

Possession with Intent to Distribute a Controlled Substances

21 U.S.C. §§ 841(a)(1), (b)(1)(C)

NMT: 20 Years Imprisonment,

NMT: \$1,000,000 Fine,

NLT: 3 Years Supervised Release

Class C Felony

Plus \$100 Mandatory Special Assessment on
Each Count of Conviction

FORFEITURE ALLEGATION

18 U.S.C. §§ 982(a)(2)(B), 1028(b)(5) and 21
U.S.C. § 853

ALL DEFENDANTS

Number	Defendant Name	Counts
1	Robert G. Joy	1 and 2
2	Gary D. Dickinson	1,2,8,14,16,17,20,21,22,23,24 and 27
3	Nicholas Destefano	1,2,3 and 4
4	Katherine E. Beaven	1,2 and 27
5	Douglas R. Parker	1,2 and 12
6	Christopher J. Neale	1,2,5 and 6
7	Michelle C. Newton	1,2 and 13
8	Felicita A. San Miguel	1,2,21,24, 25, 26 and 27
9	Jermaine C. Brooks	1,2,18 and 26
10	Timothy D. Kroenke	1,2,9,10,11,15 and 19
11	Thomas Poindexter	1,2 and 7

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

Conspiracy to Distribute Oxycodone

1. From on or about June 22, 2013, continuing until on or about the date of this indictment, in the Western District of Missouri and elsewhere, the defendants, **ROBERT G. JOY, a/k/a “Bear,” GARY D. DICKINSON, a/k/a “James DeJong,” NICHOLAS**

DESTEFANO, KATHERINE E. BEAVEN, DOUGLAS R. PARKER, CHRISTOPHER J. NEALE, MICHELLE C. NEWTON, FELICITA A. SAN MIGUEL, a/k/a “Cassandra Jasso,” a/k/a “Susan Hernandez,” a/k/a “Sarah Buckner,” JERMAINE C. BROOKS, TIMOTHY D. KROENKE, and THOMAS POINDEXTER did knowingly and intentionally combine, conspire, confederate and agree with each other and others known and unknown to the grand jury, to distribute and possess with the intent to distribute Oxycodone, a schedule II controlled substance, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), all in violation of Title 21, United States Code, Section 846.

COUNT TWO

Conspiracy to Unlawfully Transfer, Possess and Use the Means of Identification of Another Person to Facilitate a Drug Trafficking Crime

2. From on or about June 22, 2013, continuing until on or about the date of this indictment, in the Western District of Missouri and elsewhere, the defendants, **ROBERT G. JOY, a/k/a “Bear,” GARY D. DICKINSON, a/k/a “James DeJong,” NICHOLAS DESTEFANO, KATHERINE E. BEAVEN, DOUGLAS R. PARKER, CHRISTOPHER J. NEALE, MICHELLE C. NEWTON, FELICITA A. SAN MIGUEL, a/k/a “Cassandra Jasso,” a/k/a “Susan Hernandez,” a/k/a “Sarah Buckner,” JERMAINE C. BROOKS, TIMOTHY D. KROENKE, and THOMAS POINDEXTER** did knowingly combine, conspire, confederate and agree with each other and others known and unknown to the grand jury, to unlawfully transfer, possess and use the means of identification of another person with the intent to commit, to aid and abet, and in connection with any unlawful activity that is a violation of federal law and that constitutes a felony under any State or local law, and to facilitate a drug

trafficking crime, contrary to the provisions of Title 18, United States Code, Sections 1028(a)(7), 1028(b)(3)(A) and 1028(f).

Manner and Means of the Conspiracy

3. The manner and means by which the conspiracy operated included, but was not limited to the following:

a) It was part of the conspiracy that members of the conspiracy would obtain prescription quality paper commonly used by authorized health care providers to write prescriptions for individuals to receive controlled substances from pharmacies.

b) It was further part of the conspiracy that members of the conspiracy would obtain the means of identification of health care providers, to include their names and corresponding unique identification number assigned to the health care providers by the United States Drug Enforcement Administration that allows the health care provider to write prescriptions for controlled substances, hereinafter referred to as their “DEA registration number.”

c) It was further part of the conspiracy that members of the conspiracy would utilize the means of identification of the health care providers, including their names and DEA registration numbers, and the prescription paper to prepare false prescriptions for controlled substances, to include, but not limited to Oxycodone, a schedule II controlled substance.

d) It was further part of the conspiracy that members of the conspiracy would take the false prescriptions for controlled substances to pharmacies in the Kansas City, Missouri area, within the Western District of Missouri and elsewhere, to pass and attempt to pass the false prescriptions, thereby obtaining and attempting to obtain controlled substances.

e) It was further part of the conspiracy that members of the conspiracy would then unlawfully possess with the intent to distribute and did distribute the controlled substances, including but not limited to Oxycodone, a schedule II controlled substance.

Overt Acts

4. In furtherance of the conspiracy and to effect the object of the conspiracy, the following overt acts, among others, were committed or caused to be committed by the defendants in the Western District of Missouri and elsewhere:

a) On or about June 22, 2013, **ROBERT G. JOY a/k/a “Bear”** possessed and attempted to pass a false prescription for Oxycodone at the Hy-Vee Pharmacy, 310 SW Ward Road, Lee’s Summit, Missouri, that contained the name and DEA registration number for a health care provider J.M.

b) On or about July 16, 2013, **NICHOLAS DESTEFANO** possessed a firearm and controlled substances, including but not limited to Oxycodone, Methamphetamine, Alprazolam and marijuana. **DESTEFANO** also possessed the means of identification of another person, that is, a social security card.

c) On or about October 31, 2013, **CHRISTOPHER J. NEALE** possessed and passed a false prescription for Oxycodone at Spalitto’s Pharmacy, 3801 Independence, Kansas City, Missouri, that contained the name and DEA registration number for a health care provider, T.H., thereby **NEALE** obtained Oxycodone.

d) On or about November 8, 2013, **CHRISTOPHER J. NEALE** possessed and attempted to pass a false prescription for Oxycodone at Spalitto’s Pharmacy, 3801 Independence, Kansas City, Missouri, that contained the name and DEA registration number for a health care provider, T.H.

e) On or about November 26, 2013, **THOMAS POINDEXTER** possessed controlled substances, including but not limited to Oxycodone, methamphetamine and cocaine.

f) On or about November 26, 2013, **ROBERT G. JOY a/k/a “Bear”** possessed multiple false prescriptions containing the names and DEA registration numbers for health care providers, T.H., S.L., and J.M., and **JOY** possessed Oxycodone that was not prescribed to him.

g) On or about December 6, 2013, **GARY D. DICKINSON** possessed and sold a false prescription for Oxycodone that contained the name and DEA registration number for a health care provider, T.H.

h) On or about December 9, 2013, **GARY D. DICKINSON** possessed and passed a false prescription for Oxycodone at the Drexel Pharmacy, 203 E. Main Street, Drexel Missouri, that contained the name and DEA registration number for a health care provider, T.H., thereby **DICKINSON** obtained Oxycodone.

i) On or about December 10, 2013, **TIMOTHY D. KROENKE** possessed and passed a false prescription for Oxycodone at the Drexel Pharmacy, 203 E. Main Street, Drexel Missouri, that contained the name and DEA number for a health care provider, T.H., thereby **KROENKE** obtained Oxycodone.

j) On or about December 12, 2013, **GARY D. DICKINSON** possessed and sold a false prescription for Oxycodone that contained the name and DEA registration number for a health care provider, J.M.

k) On or about December 16, 2013, **TIMOTHY D. KROENKE** possessed and attempted to pass a false prescription for Oxycodone at Walgreens, 3845 Broadway, Kansas City, Missouri, which contained the name and DEA registration number for health care provider S.L.

l) On or about December 16, 2013, **TIMOTHY D. KROENKE** possessed and passed a false prescription for Oxycodone at the Phillips Family Pharmacy, 2401 W. Platte Road, Riverside, Missouri, that contained the name and DEA registration number for a health care provider, S.L., thereby **KROENKE** obtained Oxycodone.

m) On or about December 17, 2013, **DOUGLAS R. PARKER** possessed and passed a false prescription for Oxycodone at the Drexel Pharmacy, 203 E. Main Street, Drexel Missouri, that contained the name and DEA registration number for a health care provider, J.M., thereby **PARKER** obtained Oxycodone.

n) On or about December 20, 2013, **MICHELLE C. NEWTON** possessed and attempted to pass a false prescription for Oxycodone at Walgreens, 3845 Broadway, Kansas City, Missouri, which contained the name and DEA registration number for health care provider T.H.

o) On or about December 23, 2013, **GARY D. DICKINSON** possessed blank prescription quality paper and he possessed false prescriptions for Oxycodone that purported to be for **MICHELLE NEWTON, TIMOTHY KROENKE, JERMAINE BROOKS** and others, which contained the names and DEA registration numbers for health care providers T.H., S.L., and J.M.

p) On or about December 23, 2013, **DICKINSON** possessed controlled substances, including but not limited to methamphetamine and Hydrocodone.

q) On or about December 26, 2013, **GARY D. DICKINSON** possessed and attempted to pass a false prescription for Oxycodone, at The Drug Store, 408 Fourth Street, Odessa, Missouri, which contained the name and DEA registration number for health care provider S.L.

r) On or about January 3, 2014, **TIMOTHY D. KROENKE** possessed and passed a false prescription for Oxycodone at the Phillips Family Pharmacy, 2401 W. Platte Road, Riverside, Missouri, that contained the name and DEA registration number for a health care provider, S.L., thereby **KROENKE** obtained Oxycodone.

s) On or about January 7, 2014, **GARY D. DICKINSON** possessed and attempted to pass a false prescription for Oxycodone, at K-Mart Pharmacy, 7100 NW Prairie View Road, Kansas City, Missouri, which contained the name and DEA registration number for health care provider J.M.

t) On or about January 8, 2014, **GARY D. DICKINSON** possessed two false prescriptions for Oxycodone, both contained the name and DEA registration number for health care provider S.L.

u) On or about January 15, 2014, **GARY D. DICKINSON** possessed methamphetamine with the intent to distribute.

v) On or about January 15, 2014, **NICHOLAS DESTEFANO** possessed a false prescription for Oxycodone, that contained the name and DEA registration number for health care provider S.L., and he possessed methamphetamine, marijuana and prescription pills.

w) On or about January 27, 2014, **JERMAINE C. BROOKS** possessed and passed a false prescription for Oxycodone at the Phillips Family Pharmacy, 2401 W. Platte Road, Riverside, Missouri, that contained the name and DEA registration number for a health care provider, S.L., thereby **BROOKS** obtained Oxycodone.

x) On or about January 28, 2014, **TIMOTHY D. KROENKE** possessed and attempted to pass a false prescription for Oxycodone at the Phillips Family Pharmacy, 2401 W.

Platte Road, Riverside, Missouri, that contained the name and DEA registration number for a health care provider, S.L.

y) On or about January 30, 2014, **GARY D. DICKINSON** possessed two false prescriptions for Oxycodone that purported to be for **FELICITA SAN MIGUEL**, which contained the name and DEA registration number for health care provider S.L.

z) On or about February 1, 2014, **FELICITA A. SAN MIGUEL** possessed and passed a false prescription for Oxycodone at the Healthmart Pharmacy, 11 South Orange Street, Butler, Missouri, which contained the name and DEA registration number for health care provider S.L.

aa) On or about February 24, 2014, **GARY D. DICKINSON, a/k/a “James DeJong”** possessed and passed a false prescription that purported to be for **“James DeJong”** for Oxycodone at the Red Cross Pharmacy, 101 W. 92 Highway, Kearney, Missouri, that contained the name and DEA registration number for a health care provider, J.C., thereby **DICKINSON** obtained Oxycodone.

bb) On or about February 25, 2014, **FELICITA A. SAN MIGUEL a/k/a “Cassandra Jasso”** and **GARY D. DICKINSON** possessed and attempted to pass a false prescription that purported to be for **“Cassandra Jasso”** for Oxycodone at the Target Pharmacy, 1040 NE Coronado Drive, Blue Springs, Missouri, and at the CVS Pharmacy, 1101 NW Woods Chapel Road, Blue Springs, Missouri that contained the name and DEA registration number for a health care provider, B.P.

cc) On or about March 4, 2014, **GARY D. DICKINSON** possessed controlled substances, including but not limited to cocaine, methamphetamine and Oxycodone.

dd) On or about March 10, 2014, **GARY D. DICKINSON, a/k/a “James DeJong”** possessed and attempted to pass a false prescription that purported to be for “**James DeJong**” for Oxycodone at the Red Cross Pharmacy, 101 W. 92 Highway, Kearney, Missouri, that contained the name and DEA registration number for a health care provider, B.P.

ee) On or about March 15, 2014, **FELICITA A. SAN MIGUEL a/k/a “Sarah Buckner”** and **GARY D. DICKINSON** possessed and passed a false prescription that purported to be for “**Sarah Buckner**” for Oxycodone at the Woods Pharmacy, 1407 W. Austin, Nevada, Missouri, which contained the name and DEA registration number for health care provider B.P., thereby **SAN MIGUEL** obtained Oxycodone.

ff) On or about March 28, 2014, **FELICITA A. SAN MIGUEL a/k/a “Susan Hernandez”** possessed and attempted to pass a false prescription that purported to be for “**Susan Hernandez**” for Oxycodone at the Red Cross Pharmacy, 1712 Main Street, Higginsville, Missouri, and at the Medicine Shoppe Pharmacy, 810 W. 35th Street, Higginsville, Missouri, which contained the name and DEA registration number for health care provider B.P.

gg) On or about March 29, 2014, **FELICITA A. SAN MIGUEL a/k/a “Sarah Buckner”** and **JERMAINE C. BROOKS** possessed and passed a false prescription that purported to be for “**Sarah Buckner**” for Oxycodone at the Woods Pharmacy, 1407 W. Austin, Nevada, Missouri, which contained the name and DEA registration number for health care provider B.P., thereby **SAN MIGUEL** obtained Oxycodone.

hh) On or about April 3, 2014, **GARY D. DICKINSON** possessed methamphetamine.

ii) Between on or about April 14, 2014, and on or about April 15, 2014, **GARY D. DICKINSON** possessed and attempted to pass a false prescription that purported to be for

“**Sarah Buckner**” for Oxycodone at the Woods Pharmacy, 1407 W. Austin, Nevada, Missouri, containing the name and DEA registration number for a health care provider, B.P.

jj) On or about May 20, 2014, **GARY D. DICKINSON** and **KATHERINE E. BEAVEN** possessed false prescriptions for Oxycodone that contained the names and DEA registration numbers for health care providers, and they possessed blank prescription quality paper.

kk) On or about July 7, 2015, **KATHERINE E. BEAVEN** sold a substance to an undercover detective that was purported to be heroin.

All in violation of Title 18, United States Code, Sections 1028(a)(7), 1028(b)(3)(A) and 1028(f).

COUNT THREE

5. On or about July 16, 2013, in the Western District of Missouri, the defendant, **NICHOLAS DESTEFANO**, while being an unlawful user of a controlled substance, did knowingly possess, in and affecting commerce, a firearm, to wit: a Smith and Wesson, 9mm pistol, Serial Number TBC5792, which had been transported in interstate commerce.

All in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

COUNT FOUR

6. On or about July 16, 2013, in the Western District of Missouri, the defendant, **NICHOLAS DESTEFANO**, did knowingly and intentionally possess with intent to distribute controlled substances, to wit: Oxycodone and a mixture or substance containing a detectable amount of methamphetamine, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FIVE

7. On or about October 31, 2013, in the Western District of Missouri, the defendant, **CHRISTOPHER J. NEALE**, did knowingly and intentionally acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3) and (d)(1).

COUNT SIX

8. On or about November 8, 2013, in the Western District of Missouri, the defendant, **CHRISTOPHER J. NEALE**, did knowingly and intentionally attempt to acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3), (d)(1) and 846.

COUNT SEVEN

9. On or about November 26, 2013, in the Western District of Missouri, the defendant, **THOMAS POINDEXTER**, did knowingly and intentionally possess with intent to distribute controlled substances, to wit: Oxycodone, Cocaine and a mixture or substance containing a detectable amount of methamphetamine, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT EIGHT

10. On or about December 9, 2013, in the Western District of Missouri, the defendant, **GARY D. DICKINSON**, did knowingly and intentionally acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3) and (d)(1).

COUNT NINE

11. On or about December 10, 2013, in the Western District of Missouri, the defendant, **TIMOTHY D. KROENKE**, did knowingly and intentionally acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3) and (d)(1).

COUNT TEN

12. On or about December 16, 2013, in the Western District of Missouri, the defendant, **TIMOTHY D. KROENKE**, did knowingly and intentionally attempt to acquire and obtain possession of a controlled substance at a pharmacy in Kansas City, Missouri, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3), (d)(1) and 846.

COUNT ELEVEN

13. On or about December 16, 2013, in the Western District of Missouri, the defendant, **TIMOTHY D. KROENKE**, did knowingly and intentionally acquire and obtain possession of a controlled substance at a pharmacy in Riverside, Missouri, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3) and (d)(1).

COUNT TWELVE

14. On or about December 17, 2013, in the Western District of Missouri, the defendant, **DOUGLAS R. PARKER**, did knowingly and intentionally acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3) and (d)(1).

COUNT THIRTEEN

15. On or about December 20, 2013, in the Western District of Missouri, the defendant, **MICHELLE C. NEWTON**, did knowingly and intentionally attempt to acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3), (d)(1) and 846.

COUNT FOURTEEN

16. On or about December 26, 2013, in the Western District of Missouri, the defendant, **GARY D. DICKINSON**, did knowingly and intentionally attempt to acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3), (d)(1) and 846.

COUNT FIFTEEN

17. On or about January 3, 2014, in the Western District of Missouri, the defendant, **TIMOTHY D. KROENKE**, did knowingly and intentionally acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3) and (d)(1).

COUNT SIXTEEN

18. On or about January 7, 2014, in the Western District of Missouri, the defendant, **GARY D. DICKINSON**, did knowingly and intentionally attempt to acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3), (d)(1) and 846.

COUNT SEVENTEEN

19. On or about January 15, 2014, in the Western District of Missouri, the defendant, **GARY D. DICKINSON**, did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT EIGHTEEN

20. On or about January 27, 2014, in the Western District of Missouri, the defendant, **JERMAINE C. BROOKS**, did knowingly and intentionally acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3) and (d)(1).

COUNT NINETEEN

21. On or about January 28, 2014, in the Western District of Missouri, the defendant, **TIMOTHY D. KROENKE**, did knowingly and intentionally attempt to acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3), (d)(1) and 846.

COUNT TWENTY

22. On or about February 24, 2014, in the Western District of Missouri, the defendant, **GARY D. DICKINSON, a/k/a “James DeJong”**, did knowingly and intentionally acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3) and (d)(1).

COUNT TWENTY-ONE

23. On or about February 25, 2014, in the Western District of Missouri, the defendants, **FELICITA A. SAN MIGUEL a/k/a “Cassandra Jasso”**, and **GARY D. DICKINSON**, aiding and abetting each other and others, did knowingly and intentionally attempt to acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3), (d)(1), 846, and Title 18, United States Code, Section 2.

COUNT TWENTY-TWO

24. On or about March 4, 2014, in the Western District of Missouri, the defendant, **GARY D. DICKINSON**, did knowingly and intentionally possess with intent to distribute controlled substances, to wit: cocaine, oxycodone and mixture or substance containing a detectable amount of methamphetamine, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWENTY-THREE

25. On or about March 10, 2014, in the Western District of Missouri, the defendant, **GARY D. DICKINSON, a/k/a “James DeJong”**, did knowingly and intentionally attempt to acquire and obtain possession of a controlled substance, that is, Oxycodone, by

misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3), (d)(1) and 846.

COUNT TWENTY-FOUR

26. On or about March 15, 2014, in the Western District of Missouri, the defendant, **FELICITA A. SAN MIGUEL, a/k/a “Sarah Buckner”** and **GARY DICKINSON** aiding and abetting each other and others, did knowingly and intentionally acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3), (d)(1), and Title 18, United States Code, Section 2.

COUNT TWENTY-FIVE

27. On or about March 28, 2014, in the Western District of Missouri, the defendant, **FELICITA A. SAN MIGUEL, a/k/a “Susan Hernandez”**, did knowingly and intentionally attempt to acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3), (d)(1) and 846.

COUNT TWENTY-SIX

28. On or about March 29, 2014, in the Western District of Missouri, the defendant, **FELICITA A. SAN MIGUEL, a/k/a “Sarah Buckner”**, and **JERMAINE C. BROOKS** aiding and abetting each other and others, did knowingly and intentionally acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3) and (d)(1).

COUNT TWENTY-SEVEN

29. Between on or about April 14, 2014, and on or about April 15, 2014, in the Western District of Missouri, the defendants, **GARY D. DICKINSON, KATHERINE E. BEAVEN**, and **FELICITA A. SAN MIGUEL, a/k/a “Sarah Buckner”**, aiding and abetting each other and others, did knowingly and intentionally attempt to acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, in violation of Title 21, United States Code, Sections 843(a)(3), (d)(1), 846, and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION

30. The allegations contained in Counts One through Twenty-Seven of this Indictment are re-alleged and incorporated by reference for the purpose of alleging a forfeiture to the United States of America of certain property in which the defendants have an interest pursuant to the provisions of Title 18, United States Code, Sections 1028(b)(5) and (g), Title 18, United States Code, Sections 982(a)(2)(B); and the procedures outlined in Title 21, United States Code, Section 853.

31. Upon conviction of any violation of Title 18, United States Code, Section 1028, each defendant shall forfeit to the United States any personal property used or intended to be used to commit such violation, the gross proceeds of such violation, and any property traceable to such conveyance or proceeds pursuant to Title 18, United States Code, Sections 1028(b)(5) and (g).

32. Upon conviction of any violation of Title 18, United States Code, Section 1028, or conspiracy to violate these statutes, each defendant shall forfeit to the United States any property constituting, or derived from, proceeds the person obtained directly or indirectly, as the

result of such violation pursuant to Title 18, United States Code, Section 982(a)(2)(B).

33. Upon conviction of any controlled substance offense alleged herein, each defendant shall forfeit to the United States all property, real and personal, constituting, or derived from, proceeds obtained, directly and indirectly, as a result of the violations incorporated by reference in this Allegation and all property used, or intended to be used, in any manner or part, to commit, and to facilitate the commission of the offense pursuant to Title 21, United States Code, Section 853.

34. The property subject to forfeiture includes, but is not limited to the following:

a. A money judgment in the amount of at least \$1,200,000.00.

SUBSTITUTE ASSETS

35. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

The United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b).

All in accordance with Title 21, United States Code, Section 853, Title 18, United States Code, Sections 982(a)(2)(B), 1028(b)(5) and (g), and Rule 32.2(a) of the Federal Rules of Criminal Procedure.

A TRUE BILL.

2/2/16
DATE

/s/ Laurie A. Payne
FOREPERSON OF THE GRAND JURY

/s/ Jess E. Michaelsen
Jess E. Michaelsen, #52253
Assistant United States Attorney
Deputy Chief, Narcotics & Violent Crimes Unit
Western District of Missouri